

Minutes of the Quarterly Meeting of the  
Kaneohe Bay Regional Council  
July 11, 2007

**KBRC Board Members present:**

David Krupp (Chairperson), Bonnie K. Kahapea-Tanner, Angela Hi'ilei Kawelo, Arthur B. Machado, Jr. John Morgan William Sager

**KBRC Representatives absent:**

OHA representative - vacant position

**Public Present**

Rocky Kaluhiwa; Mahi Kaluhiwa; Jerry Kaluhiwa;

DOBOR: Meghan Statts, Oahu District Manager; Michael Jones, Oahu District Assistant Manager;

DOCARE: Officer Guy Chang and 2 other officers;

DAR: Alton Miyasaka

Meeting called to order at 7:06 pm by Chairperson Krupp

**Agenda Item 1: Review and approve the Minutes from April 4, 2007 meeting**

Approved, as written, by a unanimous vote of the board.

**Agenda Item 2: Reports from:**

- Recreational Fishing Representative, Angela Kawelo. Nothing to report. Had a question for DOCARE officers regarding definition of what is a lay gill net and what is not. Question deferred to Agenda Item 3, a presentation by DAR representative.
- Commercial Fishing Representative, John Morgan - No report.
- Kahaluu Neighborhood Board Representative, Arthur Machado, Jr. – No report.
- Kaneohe Neighborhood Board Representative, William Sager – No report.
- U.H./HIMB Representative, David Krupp – Department rehabilitating the parking lot due to erosion. Repairs at the Coconut Island facility will take at least 3 months. Edwin Pauly Estate ~~grant funded research~~ summer program nearing end at HIMB. Graduate students are preparing final reports on coral reef stress research. HIMB has hired a new Marine Education Coordinator, Dr. ~~Milli-Revera~~ Milie Rivera.
- Recreational Boating Representative, Bonnie Kahapea-Tanner – No report.
- Office of Hawaiian Affairs position vacant. Applicant Leone Lindsay present, but not as a voting member at this meeting. Lindsay's confirmation is in the approval process.

**Agenda Item 3: Presentation by Division of Aquatic Resources regarding gill net rules/regulations.**

No presentation.

**Agenda Item 4: Presentation by DOCARE**

DOCARE Officer Chang reported that evening patrols had been stepped up to curb illegal underage drinking in the Kaneohe Bay area at Heeia Kea pier. Officer Chang discussed the gill net fishing rules including definitions and descriptions for the variations of this type of fishing. He stated that lay nets could not be set any deeper than 25 feet, be less than 125 feet in length and must be registered with the DLNR Aquatics Division and must be marked with registration tags on all four corners. The net can only be used on time in a 24-hour period. It is also illegal to use a lay net during the period beginning half an hour before sunset to half an hour before sunrise. Officer Chang noted that the law is very hard to enforce and that more nets will be abandoned because of this law.

The question came up from DOCARE for DAR to state the difference between a lay net and a gill net. DAR stated that it was the style of fishing.

Officer Chang said that the intent of the law was to protect the commercial fishermen. A question was asked if the surround net method of fishing was legal under the new law. Officer Chang stated that it is. He also made the observation that enforcement was not asked if this law was enforceable during the drafting process. Because of this there were many loopholes in the law making it very hard to enforce. He further stated that the tags for nets are being handed out and people are on the “honor system” to attach them to their nets. To date, no ~~net~~ violations have been issued in Kaneohe Bay according to Officer Chang.

Officer Chang reported that the plan to locate a DOCARE substation at Heeia Kea fell through and the property was given to a local outrigger canoe club instead.

**Agenda Item 5 Update by DOBOR**

Mike Jones, Oahu District assistant Manager, reported that the draft rules taken from the Kaneohe Bay Master Plan were on-line for public viewing on the DLNR website. The draft rules will be reviewed by the community and Council. The next step will be to have the Attorney General review the draft rules, followed by DLNR Land Board submittal. There are still many opportunities for public input to the rule making process. The question was asked as to how the draft rules were written. The draft rules, extracted from the Kaneohe Bay Master Plan were written in the DLNR Chair’s office with nothing added or taken away from the original intent of the master plan.

**Agenda Item 6 Old Business**

Review of Draft 200 Kaneohe Bay Rules and recommendations on future action relating to these rules (Amendments to Chapters 13-231 and 13-256 HAR)

Question came up about prohibition against touching or walking on live coral specified in the draft rules. Does this rule apply to commercial, recreational or both user groups? Dr. Krupp said the overall consensus was not to allow anyone, commercial or recreational to touch or walk on live coral. DOCARE added that enforcement would be difficult.

Dr. Krupp noted a change between the Master Plan and the draft rules in regard to days of operation for commercial activity. The Master Plan stated that there would be no commercial operation on weekends and all holidays. The draft rules state no commercial operation on Sundays only and federal holidays leaving open operation on Saturdays and State holidays. He also noted a few typos on page 9 of the draft plan.

Dr. Krupp stated that the Master Plan recommended a total ban on thrill craft due to a lack of an adequate place to ride that was compatible with other uses.

There were several other places where the number of allowed customers on snorkel tours differed between what the Master Plan recommended and what ended up in the raft rules (page 18).

Concern was expressed from audience member about increase in commercial kayak tour companies on Kaneohe Bay. He stated that there was a cap of some sort on commercial operators.

Thrill craft operating on and around the sandbar in Zone “H” came up. The audience member (same person above) was concerned about water skiing activities close to the sand bar and the dangers these poses to people stand in the water on the sandbar.

A vessel with a current registration decal has been sitting by the fish lagoon ~~Heeia pond~~ for quite some time and the community is concerned that it is abandoned since they see no activity. Ms. Statts asked for the HA number so DOBOR could track down the owner.

The complaint was made that if we are going to make rules, we must start enforcing them. The individual is frustrated because nothing is being enforced.

The party boat issue came up with concerns that these vessels are being rented from the Marine Corps base and the operators are not given any instruction about the regulations and rules for the bay. Dr. Krupp suggested that a possible solution was to get a representative from the base to come and talk about the kinds of education they provide to people renting party boats. Dr. Krupp commented that he had heard that the base does provide extensive training before renting a party barge.

A sea defensive area around the Kaneohe Bay MCB is exempt from State rules but it was stated that the Council hoped their activities would be undertaken with the State’s rules in mind.

A representative from the Coastal Zone Management division gave a report on their activities in managing coastal resources and their 3-party perspective to do this. Their main effort is centered on collaborative governance across all state agencies to ensure the best management practices and policies.

**Agenda Item 7 New Business**

None.

Meeting adjourned at 8:45 pm by Chairperson Krupp.

Respectfully submitted,

Michael Jones  
Oahu District Assistant Manager